IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

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WRIT PETITION NO : 16921 of 2004

Between:

The APSRTC National Mazdoor Union (Regd.No.3108), rep.by its Depot Secretary, A.S.S.Rao, E-360448
S/o Subba Rao, Age 41 years, Autonagar Depot, Autonagar, Vijayawada,
Krishna District

..... PETITIONER

AND

1 The APSRTC, rep.by its Regional Manager, Krishna Region (Urban), at Vijayawada
2 The APSRTC, rep.by its Depot Manager, Autonagar, Vijayawada, Krishna District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent herein in fixing the duty charts by following Depot Seniority instead of Divisional Seniority, contrary to the procedure in vougue, contrary to the circular instructions and without following the procedure followed in the city Depots there by causing loss to the seniors as illegal, unjust and arbitrary and as such liable to be set a side in the interest of justice with a consequential direction to the respondents herein to follow the Divisional seniority while fixing the Duty charts and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case

Counsel for the Petitioner:MR.S.M.SUBHAN

Counsel for the Respondent No.: MR.R.MANMADHA REDDY (SC FOR APSRTC)

The Court at the admission stage made the following :

THE HONOURABLE DR. JUSTICE G. YETHIRAJULU

WRIT PETITION No. 16921 of 2004

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ORDER

The petitioner is a Mazdoor Union, represented by its Depot Secretary. The grievance of the petitioner is that the 2nd respondent is fixing the duty charts by following Depot Seniority instead of Divisional Seniority, contrary to the procedure in vogue, and without following the procedure followed in the city depots, thereby causing loss to the seniors. The petitioner, therefore, approached this Court through this writ petition seeking to declare the action of the 2nd respondent as illegal, unjust and arbitrary.

The petitioner contends that a representation was made to the 2nd respondent on 16.09.2004, regarding the following of seniority. The grievance of the petitioner is that the 2nd respondent is going to implement the depot seniority from 25.09.2004 instead of following the divisional Seniority.

The learned Counsel for the petitioner submits that the 2nd respondent may be directed to consider the representation of the petitioner, dated 16.09.2004 and pass appropriate orders.

In the light of the representation of the learned Counsel for the petitioner, the 2nd respondent is directed to pass appropriate orders on the representation of the petitioner, dated 16.09.2004 by following the procedure prescribed under the Regulations regarding the Seniority etc., within eight weeks from the date of the receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

Dr.G.YETHIRAJULU,J. 21st September, 2004

Note:

Issue C.C. within two days.

(By Order)

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Copy to:

1. The Regional Manager, APSRTC,
   Krishna Region(Urban), Vijayawada.
2. The Depot Manager, APSRTC
   Autonagar, Vijayawada, Krishna District,

3. Two C.D.Copies.